

**BroadNet**  
**The BroadNet Alliance**

1211 Connecticut Avenue, NW  
Suite 608  
Washington, DC 20036  
202.496.1000  
[www.broadnetalliance.org](http://www.broadnetalliance.org)

September 18, 2002

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12 Street, SW  
Washington, DC 20554

Re: CC Docket No. 02-33 -- Appropriate Framework for Broadband Access to the Internet  
over Wireline Facilities  
*Ex Parte Communication*

Dear Ms. Dortch:

Pursuant to Section 1.1206(a)(1) of the Commission's Rules, on behalf of The BroadNet Alliance (BroadNet), I am filing this letter electronically to report an oral ex parte communication in the above-referenced proceeding.

Yesterday, Vint Cerf of WorldCom, Charles Cocuzza of Omega Communications, David Troy of Toad.net, Rich Hardt of Wyoming.com, Brian Nelson of Speakeasy, Richard Whitt of WorldCom, Donna Sorgi of WorldCom, Dave Baker of Earthlink (by phone) Mike Batherick of Berkshire.net and I met with Michelle Carey, Brent Olson, Tom Navin, Jeremy Miller, Cathy Carpino and Julie Veach from the Wireline Competition Bureau; and Scott Marcus, Bob Pepper and Bob Cannon from the Office of Plans and Policy

The BroadNet representatives explained the state of the Internet Service Provider (ISP) industry, how regulatory uncertainty has negatively impacted their access to capital and how critical the FCC's Computer Rules remain as we transition from a narrowband to a broadband world. Using the example of "1+" dialing, BroadNet explained how the fundamental network functionalities are virtually the same for "narrowband" as they are for "broadband" services.

BroadNet also explained the many varied, "feature-rich", and innovative functions performed by ISPs at layers three to seven of the seven layered network, whereas the incumbent portion constitutes only the basic access levels at layers one and two. In contrast to the numerous public interest benefits of retaining and enforcing the Computer Rules, the representatives pointed out that the incumbent LECs have failed to produce any tangible evidence that continued adherence

Page Two  
BroadNet Alliance  
September 18, 2002

to these rules involves any real costs. It was stressed that so long as the basic underlying transmission infrastructure remains monopolized, as it is today, consideration to removing those anti-competitive protections remains wholly inappropriate and harmful to consumers and the small businesses who depend on these competitors, not to mention the serious ripple effects that would further jeopardize the recovery of the US economy.

If there are any questions regarding this submission, please contact me at the above number.

Respectfully submitted,

Maura J. Colleton  
Executive Director

Attachments

Cc: Meeting participants  
Michele Carey  
Scott Marcus  
Robert Pepper  
Robert Cannon  
Jeremy Miller  
Brent Olson  
Tom Navin  
Julie Veach